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**From:** MOORE Fredrick  
**To:** Bath, Bill; Cole, Connie  
**Subject:** Today's Phone Call w/ EPA  
**Date:** Wednesday, May 30, 2012 1:56:55 PM

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Lissa and I had a phone discussion with Carla Fisher and Christy Brown over treatment issues.

The issue of treatment (in my opinion) has turned bizarre. However, they are going to elevate it up to their higher management (Rick Albright) who will bring it to Wendy Wiles, our LQ Administrator. So regardless, at my end we will need to address and answer their issues not matter how insubstantial their assertions are or the de minimus treatment that is actually occurring.

Here's the EPA position as I heard it:

1. There is actual treatment going on at the RCRA landfill and leachate tank.
2. Therefore, there needs to be a treatment permit and therefore an active permit.
3. Therefore, the unit is no longer in post-closure.
4. Therefore, the unit is no longer a landfill, it must be permitted as a waste pile or Subpart X unit (EPA likes Subpart X better)
5. Therefore, even if the lamp and blower are not used, it is a treatment unit and if the equipment is not used, the treatment unit (landfill) must go through closure. Can't go back to being post-closure (for now).
6. I claim a post-closure unit and treatment unit are not mutually exclusive, Region 10 says it cannot be both.
7. Now that the facility is an active unit, it is now mandatory to have a contingency plan, personnel plan, etc.)
8. Now that the facility is an active unit, treatment operation plans are needed to make sure your meeting your treatment objectives.
9. Now that there are treatment units, and not disposal units, such in-situ treatment must meet LDRs.

Side issues of needing an as-built of the CERCLA landfill (am thinking they are thinking of the new sump by the lift station and the treatment system), and, needing to adding on old CERCLA O&M that I have abandoned (not sure what those are) were discussed briefly.

I don't know why Region 10 does this stuff.

Cheers, Fredrick

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